

REMARKS

Introduction

Claims 7-14 are pending in the present application. Applicants hereby respectfully request reconsideration in view of the following explanation.

Rejection of Claims 7 -14 under 35 U.S.C. §103(a)

Claims 7-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,757,268 (“Toffolo”) in view of U.S. Patent No. 7,503,001 (“Lekutai”). Applicants respectfully submit that the rejection should be withdrawn for at least the following reasons.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a *prima facie* case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish a *prima facie* case of obviousness, the Examiner must show, *inter alia*, that there is some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine the references, and that, when so modified or combined, the prior art teaches or suggests all of the claim limitations. M.P.E.P. §2143. In addition, as clearly indicated by the Supreme Court, it is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements” in the manner claimed. See KSR Int’l Co. v. Teleflex, Inc., 82 U.S.P.Q.2d 1385 (2007). In this regard, the Supreme Court further noted that “rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” Id., at 1396. To the extent that the Examiner may be relying on the doctrine of inherent disclosure in support of the obviousness rejection, the Examiner must provide a “basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristics necessarily flow from the teachings of the applied art.” (See M.P.E.P. § 2112; emphasis in original; see also Ex parte Levy, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990)).

In support of the rejection of claims 7 and 14, the Examiner contends that display fields 62 and 74 shown in Fig. 7A of Toffolo are equivalent to the claimed “two component fields” recited within the limitation “the text information includes at least one information element, the at least one information element being divided into at least two component fields.” However, there is no reasonable interpretation can support the view that fields 62 and 74 are component fields of a single “information element” within a “text information.” Toffolo clearly indicates that field 62 is a “low fuel warning” (col. 8, l. 55) and display area 74 shows “directions to the nearest gas stations as a sub-map” (col. 8, l. 58), which means: (i) the information in field 62 is completely separate and distinct from the information within display area 74; and (ii) the information within display area 74 isn’t text information.

Independent of the above, to the extent the Examiner contends that Lekutai teaches the claimed limitation of claims 7 and 14 that “the component fields include at least an information body and at least one of an information prefix (Fig. 1D (RST)) and an information suffix (Fig. 1D (NR)) of the information element,” this contention is clearly incorrect. “RST” and “NR” are merely abbreviations for the words “RESTAURANT” and “NEAR,” respectively, but there is no logical basis to contend that “RST” is a prefix and/or “NR” is a suffix of a single “information element.” In fact, Lekutai merely suggests using an abbreviation for a corresponding individual word, but there is no suggestion in Lekutai regarding any “component fields” of an “information element,” let alone any suggestion of distinguishing among “an information body,” “an information prefix” and “an information suffix.”

For at least the reasons stated above, there is no reasonable basis to support the obviousness rejection. Therefore, claims 7 and 14, as well as dependent claims 8-13, are allowable over Toffolo and Lekutai. Withdrawal of the obviousness rejection is requested.

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Response to 3/3/11 Office Action

Conclusion

In view of the foregoing, it is respectfully submitted that pending claims 7-14 are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is respectfully requested.

Respectfully submitted,

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